

SECOND REGULAR SESSION

HOUSE BILL NO. 1709

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE LAIR.

5151H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 169.141 and 169.715, RSMo, and to enact in lieu thereof two new sections relating to school employee retirement systems.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 169.141 and 169.715, RSMo, are repealed and two new sections enacted in lieu thereof, to be known as sections 169.141 and 169.715, to read as follows:

169.141. 1. Any person receiving a retirement allowance under sections 169.010 to 169.140, and who elected a reduced retirement allowance under subsection 3 of section 169.070 with his spouse as the nominated beneficiary, may nominate a successor beneficiary under either of the following circumstances:

(1) If the nominated beneficiary precedes the retired person in death, the retired person may, upon remarriage, nominate the new spouse under the same option elected in the application for retirement;

(2) If the marriage of the retired person and the nominated beneficiary is dissolved, and if the dissolution decree provides for sole retention by the retired person of all rights in the retirement allowance, the retired person may, upon remarriage, nominate the new spouse under the same option elected in the application for retirement.

2. Any nomination of a successor beneficiary under subdivision (1) or (2) of subsection 1 of this section must be made in accordance with procedures established by the board of trustees, and must be filed within ninety days of May 6, 1993, or within [ninety days] **one year** of the remarriage, whichever later occurs. Upon receipt of a successor nomination filed in accordance with those procedures, the board shall adjust the retirement allowance to reflect

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 actuarial considerations of that nomination as well as previous beneficiary and successor
18 beneficiary nominations.

19 **3. Any person receiving a retirement allowance under sections 169.010 to 169.140**
20 **who elected a reduced retirement allowance under subsection 3 of section 169.070 with his**
21 **or her spouse as the nominated beneficiary may have the retirement allowance increased**
22 **to the amount the retired member would be receiving had the retired member elected**
23 **option 1 if:**

24 **(1) The marriage of the retired person and the nominated spouse is dissolved on or**
25 **after September 1, 2016;**

26 **(2) If the dissolution decree provides for sole retention by the retired person of all**
27 **rights in the retirement allowance; and**

28 **(3) The person would receive a retirement allowance under subsection 3 of section**
29 **169.070.**

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31 **Any such increase in the retirement allowance shall be effective upon the receipt of an**
32 **application for such increase and a certified copy of the decree of dissolution that meets the**
33 **requirements of this section.**

169.715. 1. Any person receiving a retirement allowance under sections 169.600 to
2 169.712, and who elected a reduced retirement allowance under subsection 4 of section 169.670
3 with his spouse as the nominated beneficiary, may nominate a successor beneficiary under either
4 of the following circumstances:

5 (1) If the nominated beneficiary precedes the retired person in death, the retired person
6 may, upon remarriage, nominate the new spouse under the same option elected in the application
7 for retirement;

8 (2) If the marriage of the retired person and the nominated beneficiary is dissolved, and
9 if the dissolution decree provides for sole retention by the retired person of all rights in the
10 retirement allowance, the retired person may, upon remarriage, nominate the new spouse under
11 the same option elected in the application for retirement.

12 2. Any nomination of a successor beneficiary under subdivision (1) or (2) of subsection
13 1 of this section must be made in accordance with procedures established by the board of
14 trustees, and must be filed within ninety days of May 6, 1993, or within [ninety days] **one year**
15 of the remarriage, whichever later occurs. Upon receipt of a successor nomination filed in
16 accordance with those procedures, the board shall adjust the retirement allowance to reflect
17 actuarial considerations of that nomination as well as previous beneficiary and successor
18 beneficiary nominations.

19 **3. Any person receiving a retirement allowance under sections 169.600 to 169.715**
20 **who elected a reduced retirement allowance under subsection 3 of section 169.670 with his**
21 **or her spouse as the nominated beneficiary may have the retirement allowance increased**
22 **to the amount the retired member would be receiving had the retired member elected**
23 **option 1 if:**

24 **(1) The marriage of the retired person and the nominated spouse is dissolved on or**
25 **after September 1, 2016;**

26 **(2) If the dissolution decree provides for sole retention by the retired person of all**
27 **rights in the retirement allowance; and**

28 **(3) The person would receive a retirement allowance under subsection 3 of section**
29 **169.070.**

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31 **Any such increase in the retirement allowance shall be effective upon the receipt of an**
32 **application for such increase and a certified copy of the decree of dissolution that meets the**
33 **requirements of this section.**

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